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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/970,130 | 10/03/2001 | Truc D. Nguyen | 66329/14562 | 2120 |
| 23380 | 7590 | 12/12/2006 | EXAMINER | |
| TUCKER, ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414 | | | ROHWER, JACOB P | |
| | | ART UNIT | PAPER NUMBER | 2625 |

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/970,130 | NGUYEN ET AL. | |
| | Examiner | Art Unit | |
| | Jacob P. Rohwer | 2625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 September 2006.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-15 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 03 October 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 6, 4, 8, 10, 5, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. (US 6,240,456), in view of Maekawa et al (US 5,386,271).

Regarding claim 1, Teng teaches a method of providing platform independent software with regard to server side administration tools in the field of printing, comprising:

receiving, from an associated network device, a print job, each print job being directed to a printer; (**Fig 2, Col 2 Lin 49-51**)

identifying a specific printer controller corresponding to the print job; (**inherent to a printer is some sort of controller/CPU/processing unit to handle the printing instructions; Col 5 Lin 29; Col 2 Lin 63-65, URL includes information on the specific printer [and thus printer controller] selected by the user as the logical endpoint**)

loading, for each print job, a selected set of identifiers, which identifiers correspond to a specific printer controller corresponding thereto; (**Col 2 Lin 55-65, the servers routes the message to the appropriate server process for that printer**

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**controller once a request (job) is received; separate printers have separate
formatting [Col 6 Lin 29-30; Col 9 Lin 19-30])**

selecting for each print job, from the selected set of identifiers, a respective identifier corresponding to a notification to be issued by each corresponding printer controller; **(Col 9 Lin 17-29, optional components 126 select the appropriate DLL for the specific printer/printer controller and translate the server language to the printer specific language and visa versa)**

outputting each print job to its corresponding printer controller; **(Col 2 Lin 55-65)**
receiving job status data from each of the printer controllers; **(Col 7 Lin 10-15)**
using the received job status data and corresponding selected identifier to issue a corresponding, type of notification from each of the controllers; **(Col 9 Lin 17-29)** and communicating each predetermined type of notification to the associated network device. **(Col 7 Lin 10-15 and Col 9 Lin 17-29)**

Although Teng discloses the problem of interfacing with multiple different products and multiple different vendors through a network, **(Col 2 Lin 5-8)** and further discloses that the status of the job can be monitored, **(Col 7 Lin 10-15)** Teng does not expressly disclose in his invention that a plurality of print jobs are received from a network device and directed towards one of a plurality of dissimilar printers. Further, Teng discloses that bi-directional communication is used between the printer/server/client including notifications, **(Col 7 Lin 10-15 and Col 9 Lin 17-29)** but does not expressly disclose associating a *predetermined* type of notification with the

identifier selected from the printer controller (in Teng), to be communicated to the network device.

However, it is commonly known in the art that over a period of time, a network device is capable of sending a plurality of print jobs. That limitation being addressed, Maekawa has been found to disclose a centralized control system and method, including monitoring specific printer controllers (Fig 1 #1, Col 3 Lin 61-64) and storing data base information pertaining to machine model specifications, (Fig 19 S950, Col 14 Lin 20-24) wherein in an environment of dissimilar printers, (Col 11 Lin 64—Col 12 Lin 6 discloses different machine models being registered in the system) predetermined notifications are communicated according to specific printer controllers, (Fig 21-23) an identifier communicated by the controller (Fig 5 discloses codes transmitted from the machine→data terminal (controller)→central unit) and the stored data base so that possible repair procedures can be implemented according to the specific type of machine model and vendor. (Abstract, note in Fig 5 that codes (identifiers) corresponding to a certain type of warning or trouble condition are communicated to the central unit in order to be displayed, shown in Fig 21. In Fig 21 it is seen that there are multiple different (dissimilar) data terminal ID's, corresponding to different models, and there are notifications that apply to all the models with regard to warning or trouble shooting being displayed. In light of the disclosure of Maekawa, these notifications apply to all the data terminal ID's, and therefore are uniform or predetermined for the overall system.)

The Teng and Maekawa Patents are combinable because they both come from the same field of endeavor relating to managing and controlling a system using different products (printers) from different vendors.

At the time of the invention, it would have been obvious to include a dissimilar printing environment, using multiple machine models and vendors, to communicate predetermined notifications (warnings, problems) associated with a specific controller corresponding to a selected printer, as specified in Maekawa, in the network printing system using an independent platform without regard to operating system incompatibilities as specified in Teng. Furthermore, the limitation of submitting (and receiving) a plurality of jobs from a network device is common and well known in the art of network printing.

The suggestion motivation for doing so would have to provide a system for easy and quick maintenance, when using a plurality of dissimilar devices, so that pertinent information regarding output of a job can be communicated to a client through a display.
(Maekawa, Col 1 Lin 45-46)

Therefore, it would have been obvious to combine the Teng and Maekawa Patents in order to obtain the invention as specified in claim 1.

Regarding claim 2, which depends from claim 1, Teng further teaches mapping tables having message dynamic link libraries that are loaded and unloaded depending on the specific printer controller. **(Col 9 Lin 19, wherein DLLs are loaded/unloaded for mapping the general HTTP protocol to the proprietary protocol for the specific printer controller)**

Regarding claim 6, which depends from claim 1, Teng further teaches communicating the predetermined type of notification is via a selected communication protocol. (Col 9 Lin 20-21 as proprietary as well as other standard HTTP and Internet protocols depending on the server setup [Col 8 Lin 31-33 - use conventional Internet protocols])

Regarding claims 4, 8 and 10, please see rejections of claims 1, 2 and 6 above.
The printer controller is specified as the server (Teng) and the center (Maekawa).

Regarding claims 5, 12 and 14, please see rejections of claims 1, 2 and 6 above.
Additionally, Teng discloses a network. (**Fig 2 #68**)

Claims 3, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Teng and Maekawa as applied to claims 2, 8 and 12 above, and further in view of Eylon et al (US 6,574,618).

Regarding claims 3, 9 and 13, which depend from claims 2, 8 and 12, the combination of Teng and Maekawa does not specifically teach the each dynamic link library has its own header file.

However, Eylon teaches that dynamic link libraries can have their own header files. (**Col 10 Lin 18-22**)

At the time of the invention, it would have been obvious to one of ordinary skill in the art that the dynamic linked libraries as specified in the combination Teng and Maekawa could have header files as taught in Eylon.

The motivation for doing so would have been to, as stated in Eylon, be able to load just the header of a linked library in order to view the functions within, for example,

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if the library was the correct one associated with the specific printer device. Then the full dynamic linked library is loaded when it is the correct library.

Therefore, it would have been obvious to combine the Teng and Maekawa Patents with Eylon in order to obtain the invention as specified in claims 3, 9 and 13.

Claims 7, 11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Teng and Maekawa as applied to claims 6, 10 and 14 above, and further in view of Clough et al (US 6,788,429).

Regarding claims 7, 11 and 15, which depend from claims 6, 10 and 14, the combination of Teng and Maekawa does not specifically teach the conventional Internet protocols or the proprietary protocols for printing in a networked system to be the simple network management protocol.

However, Clough teaches that the simple network management protocol is a well-known protocol for implementing bi-directional communication between a printer and print server. (**Col 3 Lin 33-40**)

At the time of the invention, it would have been obvious to one of ordinary skill in the art to use a standard protocol used in printing systems such as SNMP in the printing environment of Teng and Maekawa, which clearly teaches using well-known standard protocols for communication.

The motivation for doing so would have been to allow the system to use and understand an industry standard protocol as well as the other benefits of SNMP which are well known in the art.

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Therefore, it would have been obvious to combine the Teng and Maekawa Patents with Clough in order to obtain the invention as specified in claim 7, 11 and 15.

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection. The Maekawa Reference has been found to disclose controllers corresponding to a plurality of dissimilar printing devices that communicate identifiers in order to provide predetermined notifications to a display for a user to view. Please see rejection of claim 1 above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob P. Rohwer whose telephone number is 571-272-5509. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MR
12/6/06



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